

HAROLD, SALANT, STRASSFIELD & ROTBARD, LLP

ATTORNEYS AND COUNSELORS AT LAW

81 MAIN STREET

SUITE 205

WHITE PLAINS, NEW YORK 10601

CHRISTOPHER P. HAROLD  
ELIZABETH G. HAROLD  
GREGORY A. SALANT  
RICHARD J. STRASSFIELD  
JEROLD C. ROTBARD  
DONNA E. ABRAMS

OF COUNSEL  
LEONARD I. SPIELBERG  
RACHEL J. FILASTO

TELEPHONE: (914) 683-2500  
FAX: (914) 683-1279  
[www.haroldsalant.com](http://www.haroldsalant.com)

April 14, 2022

**VIA ECF**

Honorable Gregory H. Woods  
United States District Court, SDNY  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: **Zivkovic v. Laura Christy LLC, et al, 17 CV  
553 (GHW) (GWG)**

Dear Judge Woods,

We represent Defendant, Laura Christy Midtown, LLC. in the above and write on behalf of all Defendants.

We remind the Court that at the close of Plaintiffs' case, we moved the Court to de-certify the Plaintiff class. Our motion at that time was grounded, *inter alia*, on Plaintiffs' failure in its case, to cure the Courts' basis for denying summary judgment as set forth in the Court's decision dated October 18, 2019 at pages 11-12. Further our said motion relied upon the holding of the Second Circuit Court of Appeals in *Jin v. Shanghai Original, Inc.*, 990 F.3d 251. Plaintiffs called as witnesses only 4 members of the almost 400 person class, did not procure expert testimony to establish damages and failed to adduce representative testimony. We submit that the said motion merits consideration and a decision by the Court.

Respectfully,

/S/ Leonard Spielberg